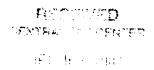
650 Town Center Drive, Suits 620 Costa Mesa, CA 92626-1925 Phone: (714) 708-8555 Fax: (714) 708-8685

Birch, Stewart, Kolasch & Birch, LLP







Toi	Examiner C.N. YAEN	From:		
Fax:	703-305-3014	Pages:		
Phone:	703-305-3586	Dates	December 3, 2003	
Your Ref.: 09/889,300		Our Ref.: 0147-0229P		
Re:	Notice of Appeal	CCı		<u></u>
□ Urgent	For Review	□ Please Comment	🗆 Please Reply	☐ Please Recycle

Comments:

Please find attached a the Notice of Appeal for the above-identified application.

send the original transmission to us by return mail at the address above.

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MS AF RESPONSE UNDER 37 C.F.R. 5 1.116 EXPEDITED PROCEDURE **EXAMINING GROUP 1642**

> PATENT 0147-0229p

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: ECKERT, Helmut et al. Conf.:

Appl. No.: 09/889,300 Group: 1642

Filed: September 13, 2001 Examiner: YAEN, C.H.

USE OF ANTIBODIES FOR THE VACCINATION For: AGAINST CANCER

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

MS AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

December 3, 2003

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated June 3, 2003 of the Primary Examiner finally rejecting claims 1-14.

This document is being transmitted via facsimile. \boxtimes

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

- NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$0.00 is required for the <u>full period</u> of the above-requested extension of time.
- \square An extension of two (2) month(s) for responding to the Final Rejection was previously requested and paid for on October 31, 2003. Thus a fee of \$265.00 is required to obtain an additional one (1) month(s) for filing the Notice of Appeal.

, *

Appl. No. 09/889,300

Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

- ☐ Large entity \$330.00
- Small Entity \$165.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$430.00.

Payment of the above TOTAL FEE is being made in the following manner:

- Check(s) in the amount of \$0.00 is/are enclosed.
- Please charge Deposit Account No. 02-2448 in the amount of \$430.00.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

I hereby Certify that this correspondence is being facsimile transmitted to the Patent and

Sanda B. Palio

yped or priviled matter of person elegand curtificate

LRS/SWG/sbp 0147-0229p Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Leonard R. Svensson, #30,330

P.O. Box 747

Falls Church, VA 22040-0747

(703) 205-8000

(Rev. 09/30/03)